

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROLANDO RODRIGUEZ,
Petitioner,

v.

LOIS RUSSO,
Respondent.

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Civil Action No. 05-11521-RCL

FILED
IN CLERKS OFFICE
2006 APR 25 P 2:08
U.S. DISTRICT COURT
DISTRICT OF MASS.

MOTION FOR ENLARGEMENT OF TIME

Comes Now, Rolando Rodriguez, pro se, the Petitioner in the above entitled action and respectfully moves this Honorable Court for an enlargement of time. In support thereof it is submitted.

1. Six weeks ago the pro se Petitioner was order to file his brief by the end of April, 2006.

2. Prior to receiving this notification Petitioner requested that the Court appoint counsel to assist him.

3. The Court denied that request.

4. Petitioner immediately wrote too and contacted many lawyers in the Boston area seeking assistance with filing the brief.

5. Petitioner seeked help and assistance from family and friends in obtaining a lawyer.

6. No lawyer was willing to represent Petitioner and his family and friends were unable to assist in locating a lawyer.

7. On March 14, 2006 Petitioner again filed a Motion for Appointment of Counsel with the Court.

8. The renewed motion for appointment for counsel was denied.

9. Petitioner has raised meritorious issues in his Petition for a Writ of Habeas Corpus for a Prisoner in State Custody filed pursuant to 28 USC § 2254.

9. Petitioner has made a substantial showing of a denial of a constitutional right.

10. Cumulative error and the denial of counsel and due process of law as guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution is violating Petitioner's rights.

11. Petitioner is without funds to hire a lawyer.

12. The issues involved in this case are complex.

13. Petitioner cannot speak English.

14. Petitioner has a very limited access to the law library and research area of the prison.

15. Petitioner cannot understand what he reads.

16. The Petitioner has no knowledge of the law.

17. At this point the Petitioner's only hope of preparing and filing his brief is to obtain the assistance of a jailhouse lawyer.

18. Petitioner is currently speaking with several jailhouse lawyers about the possibility of them helping him.

19. If these jailhouse lawyers were to help Petitioner they need additional time because they have other active cases.

20. At this time Petitioner is pursuing the issue of assistance of jailhouse lawyers.

WHEREFORE, in view of the above, pro se Petitioner/Appellant Rolando Rodriguez requests and enlargement of time in which to file his brief of sixty days to and including June 30, 2006.

Dated: April 21, 2006

Respectfully submitted,

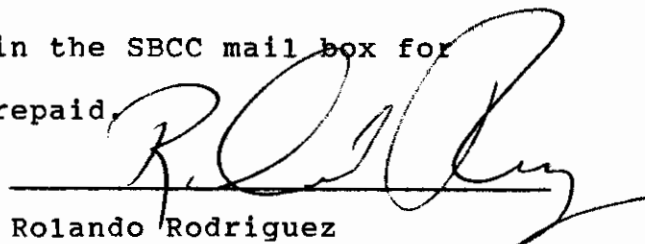
A handwritten signature in black ink, appearing to read 'Rolando Rodriguez', is written over a horizontal line.

Rolando Rodriguez, W-65630
SBCC
P. O. Box 8000
Shirley, MA 01464

CERTIFICATE OF SERVICE

I, Rolando Rodriguez hereby certify that a true and correct copy of the above document was served upon Jonathan Ofilos, Assistant Attorney General, One Ashburton Place, Boston, MA 02108-1598, on April 21, 2006 by depositing a copy in the SBCC mail box for delivery by first-class mail, postage prepaid.

Dated: April 21, 2006



Rolando Rodriguez